

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Wood, C.C., et al) Art Unit: 1651
U.S. Appln. No. : 10/630,599) Examiner: Lilling, H. J.
Confirmation No. : 8695
U.S. Filing Date : July 30, 2003
Title of Invention : Anticoagulant and Fibrinolytic Therapy Using p38 MAP Kinase
Inhibitors
Attny. Docket No. : 9/257

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Restriction/Election Requirement

Sir:

In response to the election of species requirement dated 6/24/2004, applicants hereby elect with traverse the following species for examination purposes only:

- A. Clot
- B. P38 Map Kinase inhibitor
- C. Formula 1 from claim 6.

Readable on claims 1-3, 6 and 7

Applicants reserve the right to prosecute in one or more divisional applications whatever subject matter is not allowed here. However, Applicants respectfully request that the Examiner reconsider and modify the restriction requirement for the reasons given below. Applicants also respectfully request the Examiner to identify the scope of the search in the next paper.

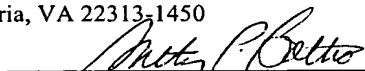
There is no doubt that the Examiner has established that Groups A, B, C and the subgroups thereof are patentably distinct. Nevertheless, the distinct inventions are sufficiently related such that the search for one group/subgroup would be at least partially coextensive with another and thus, not an undue burden on the Examiner. In searching the subject matter of Group A, related to clot, concurrently one would also be searching the prior art for the

embolisms and thrombosis. Applicants attach herewith Exhibit A, a search conducted on these three terms in the Medical Subject Headings (MeSH) for more support to the inter-connection of the three. Note that in the annotation of the National Library of Medicine, it states "'blood clot' if physiol (physiological) goes here, if pathol (pathological), goes under THROMBOSIS or EMBOLISM". It would be expected therefore, that within a search for clot many references would disclose the corresponding terms thrombosis and embolism, and vice versa. Applicants' attorney therefore contends there would be sufficient overlap in the search for each of these terms to not create an undue burden on the Examiner.

In view of the foregoing, Applicants respectfully request that the Examiner reconsider and modify this restriction requirement. If the Examiner believes that a telephone discussion would be helpful in expediting allowance of this application, the Examiner is invited to call the undersigned at the below listed telephone number.

Certificate of Mailing Under 37 C.F.R. § 1.8(a)

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Alexandria, VA 22313-1450



Anthony P. Bottino
Reg. No. 41,629

7/23/2004
Dated

Respectfully submitted,



Anthony P. Bottino
Registration No. 41,629
Attorney for Applicants

BOEHRINGER INGELHEIM CORPORATION
Patent Department
900 Ridgebury Road/P.O. Box 368
Ridgefield, CT 06877
Telephone: (203) 791-6764
Facsimile: (203) 798-4408